The Court Legacy

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The Detroit Buildings that Housed the U.S. District Court During the 19th Century

The U.S. District Court moved to 231 West Lafayette Boulevard in 1897, occupying the second floor of the new U.S. Post Office building, and, with only one three-year hiatus,[1] it has resided at that address ever since. Between 1837 and 1897, though, the judges, clerks, and marshals occupied at least five[2] other buildings in the City. This article catalogs those buildings.

The 1835 Detroit City Hall, where the Court sat in 1837-1838, as taken in 1872 shortly before it was demolished. It was in Cadillac Square, east of the junction of Woodward Avenue and Michigan Avenue.

First, a few explanations. During this period, the Federal judges conducted both a U.S. District and a U.S. Circuit Court. For simplicity, I have included both when I refer to the District Court. Several of these buildings were known, at one time, as the Federal courthouse, or the post office. In order to minimize confusion, I identify some of them by names that they bore during a period before or after their Federal service. I have also tried to provide a geographic context by locating the buildings by their nearest cross streets. However, readers should remember that, because Detroit's streets, particularly Woodward and Jefferson Avenues, are significantly wider now than they were during the 19th century, a modern archaeologist excavating for evidence of their existence might find herself excavating in the middle of a traffic lane. Finally, the photographs accompanying this article were taken years, even decades, after they housed the Court.[3] They do, however, provide the best available evidence of what the buildings looked like.

1837-1838: Detroit City Hall

The first session of the U.S. District Court for the District of Michigan was held on Thursday, February 23, 1837, on the upper floor of Detroit's elegant City Hall, then just over a year old.[4] District Judge Ross Wilkins, who had just received his commission, swore in the other court officers (U.S. Marshal Conrad Ten Eyck, Court Clerk John Winder, and Court Crier John Gibson). He then admitted several attorneys to the Bar of the Court and heard preliminary matters on six cases.[5] The City Hall remained the Court's home during 1837 and 1838.

Detroit's City Hall, a two-story brick structure in the Greek Revival style located in the middle of what is now Cadillac Square, was fifty feet wide by one hundred feet long, topped by an octagonal belfry (which lacked a bell).[6] The spacious lower floor was sixteen feet high, while the total height from base to cornice was thirty-six feet. This stately building, designed by Alpheus White,

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a local architect who had trained in New Orleans, stood out in a town full of modest, single-story wooden construction; yet it was originally intended to house a meat market, not the seat of municipal government.

The project began in December 1833 with a decision to build a new City market on the northern outskirts of town. By February 1835, the project was "the new market and Council House," with space on the upper floor for the Common Council. By the time of the building's inauguration, on November 18, 1835, it was officially known as the City Hall, although the lower floor was still given over to the town's butchers.

Beginning in October 1835, the Common Council allowed the territorial courts, which had been evicted from the Territorial Capitol by the new legislature, to use the City Hall's upper floor.[7] The territorial courts remained at City Hall until their last sessions in June 1836, and their State successors continued on there for a time.[8] Thus, when Territorial Supreme Court Judge Wilkins needed a location for his new U.S. District Court, he decided to hold its sessions there too.

The District Court used the City Hall for two yearly terms, in 1837 and 1838,[9] and might have stayed longer but for a dispute over rent. When the territorial courts first moved to the City Hall in October 1835, the Common Council did not charge them rent. Then, in January 1837, the Council resolved that "the several courts which in turn occupy the City Hall as a courtroom be charged with rent." On May 2, 1837, a day after the District Court began its first regular term at City Hall, the Council, on a motion made by the City Recorder, who happened to be Judge Wilkins himself, instructed its Committee on Ways and Means "to inquire into the propriety of taking measures to secure an appropriate rent for the use of the City Hall by the State and United States Courts, and report as soon as possible."[10]

Almost a year later, on February 2, 1838, the Council directed the City Clerk "to present to the proper authorities accounts for the use of the City Hall by the several courts since the same has been used by said courts."[11] But it was not until June 25, 1839, that the Council, on motion of the Recorder – no longer Judge Wilkins – directed the City Clerk

"to make out a bill against the United States for the use of the City Hall for the sessions of the District Court of the United States for the term it has been so used at the rates prescribed by a resolution of the Common Council in 1836 [sic]."[12]

District Court Clerk John Winder certified that the resulting $300 invoice[13] was correct, but Judge Wilkins marked it "rejected and disallowed" and explained that the City "must apply to Congress."[14] There is no evidence that Congress ever did pay that bill. Given the City's frustration,[15] it is not surprising that Judge Wilkins relocated the Court to a building owned by a good friend.

1839-1842: The Williams Building

The Court opened its June 1839 term in the "long room" on the third floor of the Williams Building on the southeast corner of Jefferson Avenue and Bates Street.[16] Built in 1833 by "General" John R. Williams, a wealthy investor and militia officer who was several times Mayor of Detroit and for whom Detroit's John R. Street is named, this was Detroit's first four-story, brick building.[17] Like most buildings in 19th century Detroit, its lower floor was rented out as retail and wholesale stores, while the upper floors housed other businesses.

The long room of the Williams Building was another logical choice for the District Court because the Michigan Supreme Court, which was currently sitting there,[18] had equipped it as a courtroom.

The Williams Building, where the Court sat from 1839 to 1842, was at the southeast corner of Jefferson and Bates near where the Mariners' Church now stands.

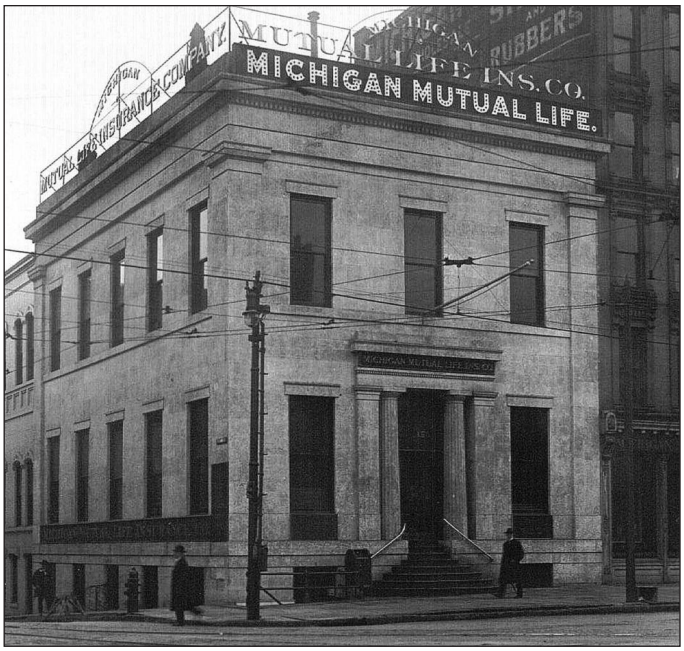
Judge Wilkins held court in the Williams Building for four years, but, as the size and number of Federal agencies in Detroit increased, it became apparent that there was a need for a building dedicated to the business of the Federal Government. The answer was found, a few blocks west on Jefferson Avenue, in the headquarters of a defunct bank.

1843-1855: Bank of Michigan Building

Before the beginning of its June 1843 term, the District Court, and Detroit's other Federal agencies, moved to the southwest corner of Griswold Street and Jefferson Avenue near where the Michigan Labor Legacy Landmark (AFL-CIO Arch) now stands. The building was designed by local architect Charles Lum for the Bank of Michigan and was completed in 1836. Structurally a simple, two-story, flat-roofed building "in the chaste Grecian style," it was the first dressed-stone building in Detroit. Its shell limestone contained "many beautiful petrifactions; in olden times the building was oiled yearly, and they were very noticeable."[19] Unfortunately for its shareholders and depositors, the Bank of Michigan failed, and in December 1842 the United States bought the building for $32,000. Congress directed the Secretary of the Treasury to take charge of the building and "set apart the said premises for the use of the courts of the United States, the officers of such courts, and the post-office in the said City of Detroit."[20] The Secretary converted the basement, which had a separate entrance, into a post office; the first floor, which had a lavishly-decorated seventeen-foot-high ceiling, became the courtroom; and the second floor was converted into court offices and a jury room. On June 20, 1843, Judge Wilkins held the District Court's first session in the building.[21]

Judge Wilkins continued to hold court in the bank building for twelve years, but as the Federal presence in Detroit grew, along with the City's population, it became apparent that a larger building, preferably one built with the Federal needs in mind, was needed. By 1852, the Post Office had outgrown its quarters in the bank building and had moved to the basement of Mariners' Church at Woodward Avenue and

Woodbridge Street,[22] while other Federal agencies had rented space around town. In March 1855, Congress authorized sale of the bank building to provide funds to acquire a large lot on which to erect a new edifice that would hold all of Detroit's Federal organizations.[23] In October 1855, the United States sold the building to the Michigan Insurance Company Bank. The Court began to hold its sessions across Jefferson Avenue at Young Men's Hall, pending construction of its new home, a process that took longer than anticipated.



The Bank of Michigan Building, where the Court sat from 1843 to 1855, was on the southwest corner of Jefferson and Griswold, near where the Michigan Labor Legacy Landmark (AFL-CIO Arch) stands today.

1856-1860: Young Men's Hall

Although the Court's offices remained on the second floor of the bank building, from 1856 to 1860 Judge Wilkins held the District Court in Young Men's Hall on the north side of Jefferson Avenue between Bates and Randolph Streets.[24] The Detroit Young Men's Society was organized in 1833, "to devise means for greater intellectual improvement." Members met weekly and "engaged in debates and literary exercises; in fact, most of our older and leading lawyers and politicians, living and dead, made their first speeches before this society."[25] In 1850, the Society built a forty-eight by ninety-five foot' three-floor brick building, with a hall on the second floor that could seat 500 spectators while the lower floor was "occupied by two fine stores, between which is the entrance to the Hall above."[26] The third floor had committee rooms and space for the Society's large library.[27] Detroit historian Silas Farmer gushed that the Young Men's Hall was "the wonder and pride of the city for many years," and the Detroit Daily Advertiser, in its 1850 City gazetteer, lauded the new building:

> The front is handsomely ornamented with bracketed caps to the windows and a fine bracketed cornice to correspond. The Hall of the Society, to be used for lectures and debates, is 43 feet wide by 70 in length and 22 feet in height, lighted by large windows in the rear, and by a dome from above. It is to be finished handsomely, with pilasters with ornamented capitals, and with a handsome cornice. It will be splendidly lighted with gas. The library is of large size, on the third-story front.[28]

Despite its aesthetic virtues, Young Men's Hall was never meant to be more than a temporary site for the Court's trials. Because of politics, temporary, in this instance, meant five years. By 1861, however, the new Federal Building was ready and the Court was finally able to reunite its offices and courtroom in one location.

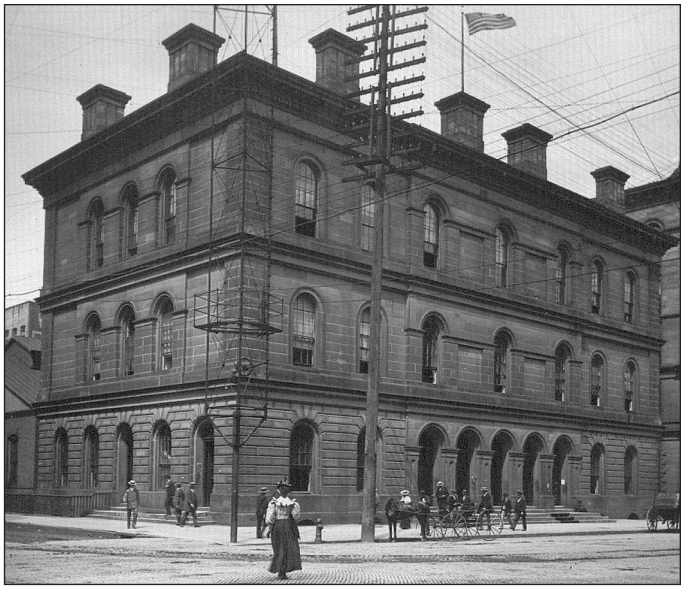
The Young Men's Hall, where the Court sat from 1856 to 1860, was on the north side of Jefferson, between Bates and Randolph, where the eastern part of the Coleman A. Young Municipal Center, formerly the City-County Building, now stands.

1861-1897: The Custom House

In 1836, even before the District Court came into being, Detroit's citizens were already petitioning both Houses of Congress for the construction of a Federal "court-house and penitentiary in Detroit,"[29] although it would take twenty-five years, until 1861, for the Court to occupy a building designed as a courthouse.

In that year the Court moved into a ruggedly-built edifice that would serve the needs of the Federal Government for a century. It was in this building that Judge Wilkins completed his service, in which Judges John W. Longyear and Henry Billings Brown presided during their entire terms, and in which Judge Henry H. Swan spent his first seven years on the Federal bench.

In 1854, the U.S. Senate authorized the Secretary of the Treasury to construct a stone building, on a river-front lot owned by the United States, "for the accommodation of the custom-house, post-office, United States courts, and steamboat inspectors."[30] As is often the case, though, the wheels of Government turned slowly. In 1855, Congress decided that the lot was not suitable and directed the Secretary to sell it, as well as the Bank of Michigan Building, and to buy a new site with the proceeds.[31] A year later, Congress authorized a larger building, which required time to make design changes and rebid the job.[32] Then, when all seemed ready, when the design was final and the contracts signed, the contractor, deciding that his bid was too low, refused to begin work. The Detroit architectural firm of Jordan & Anderson had to be hired to supervise construction, which did not begin until June 1857.[33] Even then, although the cornerstone was laid in May 1858, progress was slow. In November 1858,[34] the Free Press noted that "the enterprise is steadily progressing," but also complained about "the unsightly fence" around the project, the blocks of stone obstructing the sidewalks, and "the galling fire produced by chisels of stone cutters."[35] In fact, the City would endure those nuisances for another two years before the Court moved into its completed quarters on the second floor on January 29, 1861.[36]



The Custom House, where the Court sat from 1861 to 1897, was at the northwest corner of Larned and Griswold where the Griswold-Larned Parking Garage now stands.

The Custom House stood on the northwest corner of Griswold and Larned Streets, fronting on Griswold although it had a Larned address. Its designer, Ammi B. Young, first Supervising Architect of the U.S. Treasury Department, was responsible for dozens of custom houses, post offices, courthouses, and hospitals across the nation, many of which are today on the National Register. He was known for mixing traditional architectural forms, "which lent a sense of grandeur and permanence to the new country's institutions and communities," with a use of structural iron that was "extremely advanced for its day."[37]

Young's design for Detroit's Custom House was inspired by Sir Charles Barry's interpretation of the Italian villa style, a popular alternative at that time to Gothic and Neo-Classic styles for both residences and public buildings. Its walls, built of monumental blocks of ashlar sandstone,

WANTED

The Society is endeavoring to acquire artifacts, memorabilia, photographs, literature or any other materials related to the history of the Court and its members. If any of our members, or others, have anything they would care to share with us, please contact the Acquisitions Committee at (313) 234-5049.

were three feet thick at the base of the building and two and a half feet thick at the top, with string courses at each level and round-arched windows.[38] The interior was cutting-edge: "Its floors were composed of rolled iron beams supporting brick arches covered with concrete. Iron columns provided interior support."[39]

All that remains of the Bank of Michigan Building stands in the garden of the Architectural College of the University of Michigan in Ann Arbor.

After decades of temporary quarters, the Court remained in the Custom House for more than thirty years, but long before that the Court and other Federal offices once more outgrew their accommodations. In 1880, there was a public campaign to have Congress authorize a new building, and Congress authorized a replacement in 1885.[40] Again, though, the City had to endure years of delays. Finally, the new building was completed in 1897, and the Court finally moved to the new Post Office Building at 231 W. Lafayette Boulevard in 1898.

Conclusion

All of these buildings are gone now. Detroit is practical, not sentimental, about its architecture; as needs change, old buildings are replaced by new. The City Hall was razed in 1872, the Williams Building in 1881, the Bank of Michigan Building in 1924, Young Men's Hall in 1862, and the 1897 Post Office Building in 1932.

The Custom House outlived all of the others, its rugged construction allowing it to survive, and to serve the Federal Government, until 1964, when it was torn down and replaced by the Griswold-Larned Parking Garage.

Only two artifacts remain from all of the buildings that housed the District Court before the Levin Courthouse. One is well known: the Million Dollar Courtroom, rescued by District Judge Arthur J. Tuttle from the 1897 Post Office Building and moved to the Levin Courthouse in 1933.[41] The other is generally forgotten: the stone entrance facade of the Bank of Michigan Building, framed by two Doric columns, which was saved from demolition and transported to the garden of the Architectural College of the University of Michigan in Ann Arbor. There it still stands, looking across Tappan Street to the Law School.[42] ■

End Notes

1. Between 1931 and 1934, while the 1897 Post Office Building was being replaced by the current Theodore Levin United States Courthouse on the same site, the District Court sat in the Recreation Building. David G. Chardavoyne, "When the District Court Sat in the World's Largest Pool Hall," *The Court Legacy,* Vol. 11, No. 1 (February 2003).
2. There is a single statement, in a gazetteer, that the District Court, but not the Circuit Court, sat in 1859 in a sixth location, the old Odd Fellows Hall, on the west side of Woodward Avenue, between Congress and Larned Streets. James Dale Johnston, *Johnston's Detroit City Directory and Advertising Gazetteer of Michigan* (Detroit, 1859). However, I was not able to find any confirmation of this statement and so I must reach the Scottish verdict of "not proven."
3. All of the photographs, with one exception, are from the archives of the Burton Historical Collection of the Detroit Public Library. The exception is the photograph of the entrance to the Bank of Michigan Building at its current location in Ann Arbor, which is printed courtesy of Architecture, Engineering and Construction, University of Michigan.
4. Detroit Daily Advertiser, February 21, 24 (1837).
5. See "The First Session and First Local Rules," *The Court Legacy,* Vol. 11, No. 1 (February 2003), p. 10.
6. W. Hawkins Ferry, *The Buildings of Detroit: A History* (Detroit: Wayne State University Press, 1968), p. 32.
7. William W. Blume, *Transactions of the Supreme Court of Michigan,* 1805-1836 (Ann Arbor: University of Michigan Press, 1940), Vol. 6, pp. 385, 411.
8. *Id.*
9. Ross Wilkins Papers, Burton Historical Collection, Detroit Public Library (1838-39 Folder).
10. *Journal of the Proceedings of the Common Council of the City of Detroit: From the time of its first organization, September 21, A.D. 1824* (n.p., n.d. [after 1843]), p. 436.
11. *Id.,* p. 485.
12. *Id.,* p. 563.
13. Ross Wilkins Papers, Burton Historical Collection, Detroit Public Library (1838-39 Folder).
14. *Id.*
15. This frustration is evidenced in the Council's minutes. On October 22, 1839, the Council resolved that "the upper room in the City Hall be leased as a Court room to the United States, the County of Wayne, and the State of Michigan" at annual rates substantially higher than those stated in January 1837 (e.g., $500 instead of $150 for the District Court) and directed the clerk to notify the various courts that "the hall can be had on these terms and no other." *Journal,* p. 580.

16. Silas Farmer, *History of Detroit and Wayne County and Early Michigan,* 3rd ed. (Detroit: Silas Farmer & Co., 1890), p. 175; Clarence Burton, *1819-72 Court and Other Records Copied from Original Files* (Detroit: Burton Historical Collection, 1910-11), p. 99.
17. Farmer, p. 458.
18. Clarence Burton, 1819-72 Court and Other Records Copied from Original Files (Detroit: Burton Historical Collection, 1910-11), p. 99.
19. Farmer, p. 859.
20. Joint Resolution 5, 27th Cong., 3rd Sess., 5 Stat. 649 (March 3, 1843).
21. Detroit Daily Advertiser, June 20, 1843.
22. *Shove's Business Advertiser and Detroit Directory for 1852-53* (Detroit: Free Press Book & Job Office, 1852), p. 8. The Church was moved in 1955 from that location (now in the northeast corner of Hart Plaza) to its present site on the southwest corner of Jefferson Avenue and Randolph Street.
23. 10 Stat. 643, 674 (March 3, 1855).
24. James Dale Johnston, *Johnston's Detroit City Directory and Advertising Gazetteer of Michigan for 1856-57* (Detroit, 1856); James Dale Johnston, *Johnston's Detroit City Directory and Advertising Gazetteer of Michigan, With an Appendix Carefully Revised* (Detroit, 1861).
25. Farmer, p. 710.
26. *Shove's Business Advertiser and Detroit Directory for 1852-53* (Detroit: Free Press Book & Job Office, 1852), p. 44.
27. 1850 Directory, p. 34.
28. *Id.*, p. 52.
29. U.S. Senate Journal, 24th Cong., 1st Sess., p. 236 (March 22, 1836); U.S. House Journal, 24th Cong., 1st Sess., p. 427 (March 1, 1836).
30. 10 Stat. 546, 571 (August 4, 1854).
31. 10 Stat. 643, 674 (March 3, 1855).
32. 11 Stat. 81, 86 (August 18, 1856).
33. Detroit Free Press, June 24, 1857. The contractor, Theodore Adams from Harrisburg, Pennsylvania, was correct. He bid $100,000, and the final cost was over $150,000. *Id.*
34. Detroit Daily Advertiser, May 18, 1858.
35. Detroit Free Press [Advertiser?], November 1, 1858.
36. Detroit Free Press, January 30, 1861.
37. "Ammi B. Young," *Wikipedia,* http://en.wikipedia.org/wiki/Ammi_Young.
38. Ferry, pp. 57-58; Detroit Free Press, October 11, 1857.
39. Ferry, p. 58.
40. 23 Stat. 339 (March 2, 1885).
41. See Alison M. Dawe, "The Eastern District Courthouse, Circa 1897, and the 'Million Dollar Courtroom,'" *The Court Legacy,* Vol. 9, No. 1 (September 2001).
42. Ferry, p. 33.

Coming Soon to The Court Legacy

Bradley v. Milliken
Milliken v. Bradley

It's the same case. If you were living in the Detroit Metropolitan area after the 1967 riot, you were aware of it as the Detroit school busing case or ***Bradley v. Milliken,*** as it was styled in the U.S. District Court. If you only became aware of it after the U.S. Supreme Court issued its first opinion in 1974 (or after its second opinion in 1977), then you understandably think of it as ***Milliken v. Bradley.***

Beginning with the May 2008 issue, The Court Legacy will begin a four-part series on ***Bradley v. Milliken***. The first article, written by a professional historian, will examine the historical background of the case from 1969 to 1972. The next article will be written by Detroit lawyer and Past FBA President John R. Runyan, Jr., who was law clerk to Judge Stephen Roth from 1972 until Judge Roth's untimely death in July 1974, just prior to the Supreme Court's decision. The third article will treat the period between the Supreme Court's first decision in 1974 and its second decision in 1977, during which time it was under the supervision of the late Judge Robert E. DeMascio. And the fourth article will deal with the efforts by the District Court to bring the litigation to a close in compliance with the Supreme Court's 1977 decision. We are trying to prevail upon one of the Judges who participated in that phase to write the closing chapter. ■

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